	Application No.	Applicant(s)
Notice of Allowability	09/945,099	KNIGHT, TIMOTHY ORR
	Examiner	**Art Unit**	
	SIMON KE	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *1/29/10*.

2. ☒ The allowed claim(s) is/are *42-52,91-129,131-143 and 145-152*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

            International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Nicholas Peters on 1/29/10.

The application has been amended as follows: "

1-41.   (Canceled).

42.   (Currently Amended) An electronic interface for collecting information for a data
picture, the interface comprising:

a data palette providing a set of data parameters available for selection, said set of data
parameters including at least some corresponding to predefined statements concerning at least
one of an action or a transaction; and

a data canvas on which a selected set of one or more of said set of data parameters can be
visually displayed on a display device and relatively positioned arbitrarily via input from a user-
controlled input device in communication with the interface to generate the data picture,

wherein the data picture includes a visual display of a graphical relative positioning of the
selected set of data parameters relative to one another, the graphical relative positioning being
configured via the input within the data canvas and

wherein a data structure is created or modified using the selected set of one or more of
said set of data parameters and a weighting factor based on the graphical relative positioning of
the selected set of one or more of said set of data parameters within the data canvas of the data
picture.

43.   (Previously Presented)   The interface of claim 42, wherein said selected set of data parameters can be selected and physically moved to a gradient on said data canvas by physically manipulating the user-controlled input device.

44.   (Previously Presented)   The interface of claim 42, wherein the data picture is generated using a single data capture screen including said data palette and said data canvas.

45.   (Previously Presented)   The interface of claim 42, wherein the data picture is translatable into one or more electronic records including numeric data values.

46.   (Previously Presented)   The interface of claim 45, wherein said numeric data values are based on a physical location of said selected set of data parameters as placed on said data canvas.

47.   (Previously Presented)   The interface of claim 42, wherein said selected set of data parameters, including individual ones of said selected group of predefined statements can be ranked in relative importance based on their locations on said data canvas.

48.   (Previously Presented)   The interface of claim 47, further wherein said data canvas conveys visible feedback information during relative positioning said selected set of data parameters.

49.   (Previously Presented)   The interface of claim 42, wherein said sets of data parameters include factors associated with lessons learned concerning the at least one of the action or the transaction.

50.   (Original)   The interface of claim 42, wherein said interface also provides a visual comparison between data in said data picture and other data pictures

51.   (Previously Presented)   The interface of claim 42, wherein said interface also provides visual feedback based on an evaluation of said data in the data picture.

52.   (Previously Presented)   The interface of claim 42, wherein said set of data parameters can be customized.

53-90. (Canceled).

91.   (Previously Presented)   A tangible computer–readable medium having stored thereon, computer executable instructions that cause a machine to perform operations comprising:

    providing a data palette, said palette including a set of data parameters available for selection, such that said set of data parameters includes at least one corresponding to predefined statements concerning at least one of an action or a transaction;

    providing a data canvas on which selected data parameters can be displayed and relatively positioned arbitrarily to generate a data picture;

    receiving input via a user-controlled input device to display on the data picture a graphical relative positioning of a selected group of said predefined statements pertaining to the at least one of the action or the transaction;

    creating or modifying a data structure using a weighting factor based on said graphical relative positioning being configured by the input from the user-controlled input device within the data canvas based on physical positions determined via the input within the data canvas for said predefined statements and a relative spatial relationship between said predefined statements within the data canvas concerning said action and/or said transaction.

92.   (Previously Presented)   The tangible computer–readable medium of claim 91, wherein information collected from the input is captured using a single data picture.

93.   (Previously Presented)   The tangible computer–readable medium of claim 91, wherein all information for the data picture is captured during a data collection session using a single data collection screen.

94.   (Previously Presented)   The tangible computer–readable medium of claim 91, wherein the data picture is stored as part of a transaction record which includes numeric data values.

95.   (Previously Presented)   The tangible computer–readable medium of claim 94, wherein said numeric data values are based on the physical positions of said selected data parameters as placed on said data canvas.

96.   (Previously Presented)   The tangible computer–readable medium of claim 91, wherein the operations further comprise permitting inputs to rank said selected data parameters, including said selected group of said predefined statements, on said data canvas.

97.   (Previously Presented)   The tangible computer–readable medium of claim 91, wherein said selected data parameters can be ranked according to their physical arrangement on said data canvas.

98.   (Previously Presented)   The tangible computer–readable medium of claim 91, wherein the operations further comprise providing visual feedback based on an evaluation of the data picture to display a visual output depicting an expected outcome of the at least one of the action and the said transaction based on the data picture.

99.   (Previously Presented)   A method of permitting a user to input a data picture expressing mental impressions concerning at least one of an action and transaction, the method comprising:

        displaying at least one set of assertions associated with mental impressions in a first portion of a visible electronic interface;

        receiving input from a user-controlled input device to select and move personalized individual assertions taken from said sets of assertions to a second, separate portion of said visible interface, which second separate portion acts as a data canvas for displaying such personalized individual assertions wherein said personalized individual assertions can be relatively positioned via the input relative to one another within the data canvas to create the data picture; and

creating or modifying a data structure using the personalized individual assertions taken from the sets of assertions and a weighting factor based on relative positions of the personalized individual assertions within the data canvas.

100.   (Previously Presented)   The method of claim 99, wherein all information collected for the at least one of the action or transaction is captured using a single data picture.

101.   (Previously Presented)   The method of claim 99, wherein all information is captured for the at least one of the action or transaction during a data collection session using a single data collection screen.

102.   (Previously Presented)   The method of claim 99, wherein numeric data values are assigned to said personalized individual assertions based on physical location of said personalized individual assertions as placed on said data canvas.

103.   (Previously Presented)   The method of claim 99, further including receiving input to rank said personalized individual assertions on said data canvas.

104.   (Previously Presented)   The method of claim 99, wherein said personalized individual assertions can be ranked according to their physical arrangement on said data canvas.

105.   (Previously Presented)   The method of claim 99, further including providing visual feedback based on an evaluation of the data picture to present a visual output depicting an expected outcome of the at least one of the action or the transaction based on the data picture.

106.   (Previously Presented)   A method of capturing data concerning an actual or proposed transaction from a user of a computing system, the method comprising:

    displaying at least one set of assertions associated with mental impressions relating to the transaction in a first portion of a visible electronic interface;

    receiving input via a user-controlled input device to select and move the selected assertions taken from said set of assertions to a second, separate portion of said visible electronic

interface, which second separate portion acts to display such selected assertions along a visible gradient;

receiving input via a user-controlled input device to relatively position said selected assertions in a ranking order relative to each other and relative to the visible gradient to create a data picture; and

creating or modifying a data structure using the selected assertions and the ranking order relative to each other and a weighting factor based on relative placement on the visible gradient.

107.   (Previously Presented)   The method of claim 106 further wherein all information collected for the actual and/or proposed transaction is captured using said set of assertions.

108.   (Previously Presented)   The method of claim 106 further wherein all of the user's information for the actual or proposed transaction is captured during a data collection session using a single data collection screen.

109.   (Previously Presented)   The method of claim 106, wherein numeric data values are assigned to said selected assertions based on their physical location as placed on said data canvas.

110.   (Previously Presented)   The method of claim 106, further including a step of displaying on the visible electronic interface a visual comparison between the data picture and data collected during a prior data capture session.

111.   (Currently Amended) A method of generating program data from user input data concerning an actual or proposed action and/or transaction, the method comprising:

providing a palette of individual assertions associated with the perceptions of the action or transaction in a first portion of a visible interface;

receiving input via a user-controlled input device to select and move selected assertions taken from said set of assertions to a second, separate portion of said visible interface, which second separate portion acts to visibly display such selected assertions;

receiving input via a user-controlled input device to relatively position said selected assertions in a ranking order relative to each other so as to constitute user input data, wherein the second separate portion comprises a data canvas for displaying the selected assertions wherein the selected assertions can be relatively positioned via the input relative to one another within the data canvas to create a data picture; and

converting the user input data into program data on a machine, by assigning numerical values to such program data corresponding to a weighting factor based on said relative positioning of said selected assertions.

112.   (Previously Presented)   The method of claim 111, wherein said numeric data values are based on physical location of said assertions as placed on said second separate portion of said interface.

113.   (Previously Presented)   The method of claim 111, further including displaying on the visible interface a gradient for assisting in the ranking of said selected assertions.

114.   (Previously Presented)   The method of claim 111, further including providing visible feedback information during relative positioning of said selected assertions.

115.   (Previously Presented)   The method of claim 111, wherein said palette of individual assertions include statements associated with lessons learned concerning the action and/or transaction.

116.   (Previously Presented)   The method of claim 115, further including retrieving and modifying any of said lessons associated with the user input data at a later time.

117.   (Previously Presented)   The method of claim 111 wherein said palette of individual assertions can be customized at least in part via input from the user-controlled input device.

118.   (Previously Presented)   The method of claim 111, further including providing on the visible interface a visual comparison between the user input data and program data collected during a prior session.

119.   (Previously Presented)   The method of claim 111, further including providing on the visible interface visual feedback based on an evaluation of the user input data to display a visual output depicting an expected outcome of said action and/or said transaction based on the user input data.

120.   (Previously Presented)   The method of claim 111 further wherein all of the information concerning an actual or proposed transaction is captured during a data collection session using a single data collection screen.

121.   (Previously Presented)   A method of capturing input data within an electronic interface comprising:

        providing a menu within the interface for presenting a set of data parameters;

        providing a canvas in association with the interface for creating a data record based on said set of data parameters;

        receiving input from a user-controlled input device to move a selected data parameter from the set of data parameters to said canvas;

        receiving input from the user-controlled input device to graphically relatively position said selected data parameter on said canvas so as to indicate a corresponding weighting factor to be associated with said selected data parameter; and

        creating or modifying a data structure using the selected data parameter and a weighting factor based on the graphical relative positioning of the selected data parameters on said canvas.

122.   (Previously Presented)   The method of claim 121, wherein said data record is used as a query to locate additional information.

123.   (Previously Presented)   The method of claim 121, wherein said data record is compared against other data records in a visual analysis displayed on the interface.

124.   (Previously Presented)   The method of claim 121, wherein said weighting factor is based on a physical location of the selected data parameter within the interface provided.

125.   (Previously Presented)   The method of claim 124, wherein both a horizontal location and a vertical location are used to determine said weighting factor.

126.   (Currently Amended) A method of providing feedback during a data input session using an electronic data interface, the method comprising:

      collecting input data using the electronic data interface, said input data comprising:

          one or more selected data parameters selected <u>from a data palette</u> via input received from a user-controlled input device;

          weighting information identifying a corresponding weighting factor given to at least one of said one or more selected data parameters based at least in part on the relative positioning of each of the one or more selected <u>data</u> parameters <u>within a data canvas configured to display the one or more selected data parameters wherein the one or more selected data parameters can be positioned relative to one another within the data canvas to create a data picture</u> based on input received from the user-controlled input device; and

          providing feedback information while collecting said input data, said feedback information being based at least in part on said input data to show an effect of changing said one or more selected data parameters and/or their associated weighting factors based on relative positioning of each of the selected data parameters.

127.   (Previously Presented)   The method of claim 126, wherein said feedback information includes at least one of:

      a set of data records correlating with said input data;

      a list of proposed options based on said input data;

      changes in an appearance of said electronic data interface;

      a prediction of expected financial return based on input data; or

      a financial performance associated with transactions using said input data.

128.   (Previously Presented)   The method of claim 126, wherein said data input session is conducted using a JavaTM applet operating within an Internet browser.

129.   (Previously Presented)   The method of claim 126, wherein said data parameters correspond to reasons, motivations or perceptions concerning a transaction and/or action.

130.   (Canceled).

131.   (Currently Amended) A method of evaluating data records associated with an action and/or transaction, the method comprising:

       storing one or more data records, each of said data records including:

              a set of data parameters identified as pertaining to the action and/or transaction;

              a weighting factor to be given to at least one of the data parameters based on a relative positioning of the data parameters on a data canvas of an electronic interface, the data canvas configured to display the data parameters wherein the data parameters can be positioned relative to one another within the data canvas to create a data picture;

       processing a query with a computer system, said query requesting an evaluation of a frequency of usage for a data parameter, and/or an evaluation of a rating given to a weighting factor associated with said data parameter, across said data records or a subset thereof; and

       providing feedback from the computer system in response to said query.

132.   (Previously Presented)   The method of claim 131, wherein said feedback includes a chart and/or graph.

133.   (Previously Presented)   The method of claim 131, wherein said feedback includes a proposed model sets of data records and weighting factors.

134.   (Previously Presented)   The method of claim 131, wherein said feedback includes a prediction associated with using said one or more of data records.

135.   (Previously Presented)   The method of claim 131, wherein said feedback includes a financial performance associated with using said one or more data records.

136.   (Previously Presented)   A method of creating a data record based on input data provided with an interface, the method comprising:

generating a first data picture at a first time within the interface, said first data picture including a first set of data parameters and associated weighting factors shown via relative positioning of the first set of data parameters as displayed on the interface,

wherein said first data picture is created before receiving an input to effect an action and/or transaction associated with said first set of data parameters;

generating a second data picture at a second time within the interface, said second data picture including a second set of data parameters and associated weighting factors based on a relative positioning of each of the second set of data parameters as displayed on the interface in response to input received from a user-controlled input device,

wherein said second data picture is created after said action and/or said transaction is performed; and

modifying said second data picture at a third time within the interface using said second set of data parameters via input received from a user-controlled input device and based at least in part on a weighting factor based on relative positioning of the second set of data parameters,

wherein both said first data picture and said second picture are used to create a data record.

137. (Previously Presented)   The method of claim 136, wherein said first data picture is not alterable after it is created.

138. (Previously Presented)   The method of claim 136, wherein said action and/or transaction pertains to trading a security, and said first data picture is associated with a purchase of said security, and said second data picture is associated with a sale of said security.

139. (Previously Presented)   The method of claim 138, further including:

providing feedback to the user to indicate a financial performance associated with said trading of said security.

140. (Previously Presented)   The method of claim 138, wherein

said first sets of data parameters pertain to a motivation and/or reason for engaging in said action and/or transaction, and

said second set of data parameters pertain to a lesson learned from engaging in said action and/or transaction.

141.   (Currently Amended)   A data picture record <u>stored on a tangible computer readable medium, the data picture record </u>derived from data input in the form of a graphical arrangement, the data picture record comprising:

     an identifier indicating a particular action and/or a transaction identified as related to the data input;

     an identity of a data parameter selected to express the data input and used in the graphical arrangement for the particular action and/or transaction; and

     a weighting factor associated with said data parameter, said weighting factor being derived from a relative placement of said data parameter within the graphical arrangement wherein said weighting factor is based on a physical coordinate location within a data canvas <u>configured to display the data parameters wherein the data parameters can be positioned relative to one another within the data canvas to create a data picture</u>.

142.   (Previously Presented)   The data picture record of claim 141, wherein a collection of data picture records are grouped for said action and/or transaction.

143.   (Previously Presented)   The data picture record of claim 142, wherein said collection data picture records include data picture records created before said action and/or transaction, and data picture records created after said action and/or transaction.

144.   (Cancelled)

145.   (Previously Presented)   The data picture of claim 141, wherein both a horizontal position and a vertical position are considered in determining said weighting factor.

146.   (Previously Presented)   An apparatus for collecting information, the apparatus comprising:

     an input device;

a display responsive to the input device, wherein the display is configured to provide:

at least one set of data parameters available for selection via the input device,

a data canvas area on which a selected set of one or more of the data parameters can be displayed and relatively positioned arbitrarily via input signals from the input device;

a memory configured to store a data structure created or modified responsively to the selected set of one or more of the data parameters and a weighting factor based on the graphical relative positioning of the selected set of one or more of the data parameters on the data canvas area.

147.   (Previously Presented)   The apparatus of claim 146, wherein the graphical relative positioning of the selected set of one or more of the data parameters comprises a rank in relative importance of the selected set of one or more of the data parameters.

148.   (Previously Presented)   The apparatus of claim 146, further wherein said data canvas conveys visible feedback information during relative positioning said selected set of data parameters.

149.   (Previously Presented)   The apparatus of claim 146, wherein the data structure comprises a weighting factor associated with at least one of the selected set of data parameters, the weighting factor being derived from a relative placement of the data parameter within the data canvas area.

150.   (Currently amended) A data structure stored in a tangible computer readable medium, the data structure comprising:

a transaction identifier;

data parameter identity information listing data parameters associated with the transaction identifier; and

location placement information comprising weighting factors for the data parameters associated with the transaction identifier, the location placement information reflecting graphical relative positioning of the data parameters on the data canvas area;

wherein the data structure represents a data picture created with an input device and a display configured to provide data parameters available for selection and placement on a data canvas area <u>to display the data parameters wherein the data parameters can be positioned relative to one another within the data canvas area</u> in order to create the data picture.

151.   (Previously Presented)   The data structure of claim 150, further comprising a plurality of transaction identifiers associated with a plurality of transactions with data parameter identity information and location placement information separately associated with each transaction identifier.

152.   (Previously Presented)   An apparatus comprising:

means for providing a data palette, said palette including a set of data parameters available for selection, such that said set of data parameters includes at least one corresponding to predefined statements concerning at least one of an action or a transaction;

means for providing a data canvas on which selected data parameters can be displayed and relatively positioned arbitrarily to generate a data picture;

means for receiving input via a user-controlled input device to display on the data picture a graphical relative positioning of a selected group of said predefined statements pertaining to the at least one of the action or the transaction;

means for creating or modifying a data structure using a weighting factor based on said graphical relative positioning being configured by the input from the user-controlled input device within the data canvas based on physical positions determined via the input within the data canvas for said predefined statements and a relative spatial relationship between said predefined statements within the data canvas concerning said action and/or said transaction"

Allowable Subject Matter

Claims 42-52, 91-129, 131-143, and 145-152 allowed.

The following is an examiner's statement of reasons for allowance: "a data canvas on which a selected set of one or more of said set of data parameters can be visually displayed on a display device and relatively positioned arbitrarily via input from a user-controlled input device in communication with the interface to generate the data picture,

wherein the data picture includes a visual display of a graphical relative positioning of the selected set of data parameters relative to one another, the graphical relative positioning being configured via the input within the data canvas and

wherein a data structure is created or modified using the selected set of one or more of said set of data parameters and a weighting factor based on the graphical relative positioning of the selected set of one or more of said set of data parameters within the data canvas of the data picture."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KE whose telephone number is (571)272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peng Ke
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